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ment of the expense of transferring the men. Nor would the laborer be less in the power of the employer in the labor contract when the labor market was overstocked, and he would be subject, too, to his new employer, the labor exchange.

On a small scale, that is, for local labor markets, M. de Molinari's plan would doubtless work well ; on a scale so large that the element of personality would be lost sight of, it would afford no advantages. The labor exchanges would inevitably come under the influence of employers. The plan deserves praise and attention as an ideal towards which we should work, but could not be put into practice in its entirety under existing conditions ; nor, if it could, would it accomplish what its author claims, in this country at least.

The appendix contains, among other things, some interesting information on labor exchanges in France. · DAVID KINLEY.

Die Methode Einer Wissenschaftlichen Rückfallsstatistik als Grundlage einer Reform der Kriminalstatistik. von DR O. KOEBNER.

Sonderabdruck aus der Zeitschrift für die ges. Staatswissenschaft, B. xiii. Heft 5. Berlin : J. Guttentag, 1893. Pp. 124.

THE abstract method is losing ground even in that branch of science which has ever been the stronghold of abstract speculation—in jurisprudence. The heresies of Robert Owen were, certainly, not adapted to deal with the practical problems of criminality, still they emphasized the objective element of the social medium where the traditional notions—we might say, superstitions—of “free will” and “evil intent” had formerly held an undisputed position. Then came Quetelet to strengthen with his arguments the attacks of the radical thinkers upon the settled maxims of criminal law. Yet the controversy was still conducted, so to speak, beyond the lines of official criminal jurisprudence, until a rebellion against criminalistic orthodoxy, which broke out within the ranks of its former followers, was headed by the Italian anthropological school.

We are very far, however, from being enthusiastic over the achievements of the anthropological school, which is open, to put it in the mild language of our author, “to the reproach that it has prematurely drawn its inferences from a few hundred, at best from a few thousand, cases” (p. 62). More facts are needed to lay down the foundations of a truly scientific theory of crime, and we believe that the statisti-

cal method advocated by Dr. Koebner is the most adequate method of sociological induction. It is precisely the sociological point of view of the crime that brings Dr. Koebner in opposition to both the old and the anthropological school. Criminal statistics, which he considers only a branch of social statistics, he hopes, "will contest the arguments based on individual pathology by emphasizing the elements of social pathology." It will provide the material for "a scientific study of crime as a peculiar phenomenon of social life and will bring out the social conditions of crime." (Von Liszt).

The study of the "criminal classes," as suggested by the author, falls in line with the investigation of "the class of the unemployed." "It concerns itself with the classes that are unable, more often unwilling, to find a place amid the economic and social strata of the community; of the entirely *declassés*, who threaten to grow to a separate class of society,—of the men of 'negative work.' It deals with men who, for want of any other profession, have made it their profession to destroy the goods of civilization." (p. 60).

It seems to us that there can be no successful investigation of a subject unless it be conducted with a view to prove or disprove certain anticipated propositions. If justice is done to the discordant theories, the requirements of scientific impartiality are complied with. Our author stands free of the charge of prejudging the questions at issue, whereas, on his suggestion, anthropometrical studies might be combined with a thorough-going statistical study of criminality.

The scope of investigation laid before the student is broad and hopeful. What are the means to attain the proposed ends? The monograph is a sweeping criticism of modern criminal statistics. There are in fact no criminal statistics at all worth speaking of.

That there is a class of professional criminals needs no proof. The study of the professional criminal is that of the *recidiviste*, of the repeatedly punished. Criminal statistics have paid special attention to this class of criminals. Still, as the method is fundamentally wrong, the results are necessarily fallacious. Instead of studying the *criminal man*, statistics have hitherto registered the *criminal acts*. To trace the several criminal acts to their common author becomes well-nigh impossible, except in so far as it is done by the courts. But judicial registration, being regulated by requirements of positive law, does not answer the purposes of scientific investigation. All we now learn from

official statistics is, that in a certain year a given number of individuals were sentenced, of whom another given number had been sentenced before. The comparison is here made between incommensurable quantities: some of the "repeatedly sentenced" of the year 1893, may first have been sentenced 5, 10, 15 years ago. To study the results of judicial prosecution, the figures ought to show the proportion of this category to the total number sentenced in the respective years. This would clearly bring out how many out of a given number sentenced in a certain year were subsequently convicted for new offences, once, twice, etc. Moreover, with the natural increase of the population the absolute numbers of criminals also increase. The method now prevailing thus tends to present the proportion of inveterate criminals slighter than it really is. Then comes in the element of mortality; out of a given number sentenced 10 years ago a part are now dead; the number of persons liable to fall back into crime has thus decreased; by failing to account for this element, the figures of the reports again diminish the real proportions of professional criminals.

There are many other defects of a technical nature that make the data of criminal statistics wholly unreliable. The reform proposed by Dr. Koebner is to change the prevailing method of criminal statistics. Criminal registers should be introduced in every country wherever they have not yet been adopted. The birthplace might be suggested as the centre to which all information concerning the criminal should be directed. These registers would offer to the central statistical institution a solid basis of facts on which to operate in its study of criminality.

This is a further extension of the method which has been successfully applied in economic statistics, as, *e. g.*, in Russian agricultural statistics, where 19,000,000 peasants have been registered up to date according to this method. The importance of an investigation conducted on these lines for the theoretical discussion of the problems of criminality could not be exaggerated. As to the practical questions involved let the author speak for himself.

"Statistics of repeated criminality, organized as above suggested, will act as a warning against that kind of criminal policy, which is only too much inclined, in times of alarmingly increasing criminality, to take corporal punishment and the like as the last word of wisdom; the lesson of statistics will be that even the most stringent measures of

repression cannot do away alone with the masses of habitual criminals. *Legislation and administrative measures looking toward social reform remain the most essential.*"

ISAAC A. HOURWICH.

What Protection Does for the Farmer and Laborer. A Chapter of Agricultural History. By I. S. LEADAM, M. A. London: Cassell & Co., 1893. 12mo. Pp. xxxvi+104.

THIS little book, which comes under the stamp of the Cobden Club, and has run through five editions since 1881, is what its second title indicates, A Chapter of Agricultural History. Its value as history is somewhat impaired by the political purpose which animates the writer, and yet it is rather above the standard of the controversial publications which the question of protection has called forth.

The author purposes to show farmers and laborers how futile is the hope of bettering their condition by legislative action. To do this he recounts their sufferings from 1815 to 1846, and charges all their distress to the corn laws, the false protection which aided none but the landlords, and that at the expense of all other classes.

More than half the space is taken up with extracts from Parliamentary Reports to show the existence of conditions which have not been seriously questioned. The author falls into an error common to controversial writers, *i. e.*, he makes the corn laws responsible for all the evils from which England was suffering. His case might be stronger if he did not attempt to prove so much. It is easy to believe that the corn laws increased rents so much that the condition of the farmers was not improved at all; but that they so excited the hopes of the farmers that leases were made on terms more unfavorable than ever before, and that for thirty years the farmers remained so deluded that they paid rents out of their capital, all because of hopes excited by the corn laws, is hardly proven, even by the voluminous extracts given.

It is interesting to note that the argument used against protection to the agricultural interest is used here by the advocates of protection to manufactures. The author maintains (p. 94): "The decline of prices has invariably followed the imposition of a duty, being a result effected by the competition of the farmers among themselves, artificially stimulated by a duty." In manufactures the increase of competition leads to inventions, better methods and a real lowering of the